

FILED  
CLERK'S OFFICE  
UNITED STATES OF AMERICA  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

CR No. 04-10098-WGY

v. )

MANUEL MENDES, )  
CHRISTOPHER CUSTER, )  
CARMEN FIGUEROA, )  
DESIREE ALVES, )  
WILLIAM TEJEDA, and )  
JENNIFER PAVAO, )  
Defendants )

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**DEFENDANTS' JOINT MOTION FOR ADDITIONAL TIME TO FILE SUBSTANTIVE MOTIONS**

NOW COMES, the Defendants in the above-captioned indictment and move that the time for filing substantive motions be enlarged from Monday, March 7, 2005 to Thursday, March 17, 2005.

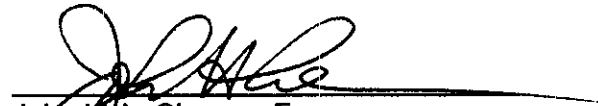
In support of this motion Defendants' state that the recent decision in United States v. Booker, 76 Cr. L. 251 (U.S. 2005) will dramatically impact the negotiation of plea bargains and / or the entry of guilty pleas, especially in federal drug cases. Defendants believe that it might prove advantageous to some or all of them to revisit the issue of resolving this case without a trial now that the decision in Booker has been issued.

Defendants, therefore, seek some additional time to explore this issue before going through the time and expense of drafting, submitting and litigating the various motions to suppress required if this case goes to trial.

The additional ten (10) days requested here should not affect the court's scheduling in this case.

Respectfully submitted on the behalf of all Defendants;

**CARMEN FIGUEROA**  
**MANUEL MENDES**  
**CHRISTOPHER CUSTER**  
**DESIREE ALVES**  
**WILLIAM TEJEDA**  
**JENNIFER PAVAO**

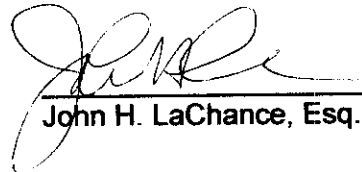


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**CERTIFICATE OF SERVICE**

I, John H. LaChance, Esq., do hereby certify that I have served a copy of the foregoing upon the government by faxing and then by mailing a copy of the same, priority mail, postage pre-paid to Assistant United States Attorney Susan Postwistillo, located at the Office of the United States Attorney, United States District Courthouse, One Courthouse Way, Suite 9200, Boston, MA 02210 on this 23 day of February, 2005.

  
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John H. LaChance, Esq.